

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & CO., et al.,<sup>1</sup>

Debtors.

Chapter 11

Case No. 01-1139 (JKF)

Jointly Administered

**Related Docket Nos. 26154, 26155, 26289, 26489**

**NOTICE OF APPEAL**

The State of Montana (“Montana”), by and through its undersigned counsel, hereby appeals to the United States District Court for the District of Delaware under 28 U.S.C. § 158(a)(1), Rule 8001(a) of the Federal Rules of Bankruptcy Procedure, and Rule 8001-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, (I) the Memorandum Opinion Regarding Objections to Confirmation of First Amended Joint Plan of Reorganization and Recommended Supplemental Findings of Fact and Conclusions of Law (Docket No. 26154) (the

<sup>1</sup> The Debtors are the following entities: W.R. Grace & Co. (f/k/a Grace Specialty Chemicals Inc.), W.R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food ‘N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), ECARG, Inc., Five Alewife Boston Ltd., GC Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), GC Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W.R. Grace Capital Corporation, W.R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, LB Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc. E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

“Memorandum Opinion”), docketed by the Honorable Judith K. Fitzgerald of the United States Bankruptcy Court for the District of Delaware on January 31, 2011, (II) the Recommended Findings of Fact, Conclusions of Law and Order Regarding Confirmation of First Amended Joint Plan of Reorganization as Modified Through December 23, 2010 (Docket No. 26155) (the “Proposed Order”), docketed by the Honorable Judith K. Fitzgerald of the United States Bankruptcy Court for the District of Delaware on January 31, 2011, (III) the Order Clarifying Memorandum Opinion and Order Confirming Joint Plan as Amended Through December 23, 2010 (Docket No. 26289) (the “Clarifying Order”), docketed by the Honorable Judith K. Fitzgerald of the United States Bankruptcy Court for the District of Delaware on February 15, 2011, and (IV) the Memorandum Opinion and Order Denying in Part the Motion of BNSF Railway Company for Reconsideration (Docket No. 26489) (the “Reconsideration Order”), docketed by the Honorable Judith K. Fitzgerald of the United States Bankruptcy Court for the District of Delaware on March 4, 2011.

In addition, to the extent that (i) the Memorandum Opinion, the Proposed Order, the Clarifying Order, and/or the Reconsideration Order are subject to de novo review in the district court, and (ii) a party is required to specifically request such de novo review of the Memorandum Opinion, the Proposed Order, the Clarifying Order, and/or the Reconsideration Order pursuant to 28 U.S.C. § 157(c)(1), 11 U.S.C. § 524(g), or Bankruptcy Rule 9033, or otherwise, Montana objects to the Memorandum Opinion, the Proposed Order, the Clarifying Order, and the Reconsideration Order, and requests such de novo review by the district court.

The names of all parties to the Memorandum Opinion, the Proposed Order, the Clarifying Order, and the Reconsideration Order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

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Respectfully submitted,

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